

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MARK A. LEWIS, individually and on behalf)
of all other similarly situated,)

Plaintiff,)

v.)

Case No.: 13-cv-942-JPG-SCW

ADVANCE AMERICA, CASH ADVANCE)
CENTERS OF ILLINOIS, INC.,)

Defendant.)

MEMORANDUM AND ORDER

This matter comes before the Court on the motion to alter or amend pursuant to Federal Rule of Civil Procedure 59(e) filed by plaintiff Mark A. Lewis (Doc. 31). Lewis asks the Court to amend its April 15, 2014, order finding this case dismissed with prejudice. Lewis intended to dismiss this case by notice without prejudice, although he did not so specify in that notice.

Because Lewis had an absolute right to dismiss this case with or without prejudice at the time of his notice, the Court **GRANTS** the motion to alter or amend (Doc. 31) and finds that this action is **DISMISSED without prejudice**.

IT IS SO ORDERED.

DATED: April 30, 2014

s/J. Phil Gilbert
J. Phil Gilbert
United States District Judge